

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MARQUIS SHILOH,

Plaintiff,

MEMORANDUM & ORDER
24-CV-141 (EK) (SJB)

-against-

WARDEN EMTC, DEPARTMENT OF
CORRECTIONS, and THE CITY OF NEW
YORK,

Defendants.

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ERIC KOMITEE, United States District Judge:

On January 5, 2024, plaintiff Marquis Shiloh filed this *pro se* civil rights complaint, along with a motion for leave to proceed *in forma pauperis* ("IFP"). ECF Nos. 1, 2.

Shiloh is incarcerated on Rikers Island, but he did not sign a Prisoner Authorization Form. ECF No. 3. Pursuant to the statute authorizing IFP suits, a "prisoner seeking to bring a civil action . . . without prepayment of fees . . . shall submit a certified copy of the trust fund account statement (or institutional equivalent)" – here, a Prisoner Authorization Form. See 28 U.S.C. § 1915(a)(2), (b)(1).

Shortly after Shiloh filed his complaint, the Clerk's Office instructed him that to proceed, he must return a signed Prisoner Authorization Form within fourteen days. ECF No. 4.

The Office attached a copy of Shiloh's unsigned form. *Id.* Shiloh did not return a signed copy of the form. Several months later, in August 2024, the Court warned Shiloh that if he did not return a signed form within fourteen days, the case could be dismissed. See Docket Order dated August 13, 2024. Shiloh missed that deadline as well.

Failure to comply with the requirements of Section 1915 – including by submitting a signed Prisoner Authorization Form – “is grounds for dismissal of an incarcerated plaintiff’s complaint.” *Sanders v. United States*, No. 17-CV-3593, 2018 WL 3148348, at *2 (E.D.N.Y. June 27, 2018). Accordingly, this action is dismissed without prejudice.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore denies IFP status for the purpose of an appeal. *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962). The Clerk of Court is respectfully directed to send this order and a copy of the Prisoner Authorization Form to Shiloh at the Robert N. Davoren Center (“RNDC”) on Rikers Island, 11-11 Hazen Street, East Elmhurst, NY 11370, and to close this case.¹

¹ According to the New York City Department of Correction, Shiloh is now detained at the Robert N. Davoren Complex (RNDC) on Rikers Island, and not at the Eric M. Taylor Center (EMTC) there. <https://a073-ils-web.nyc.gov/inmatelookup/pages/home/home.jsf> (last visited May 16, 2025).

SO ORDERED.

/s/ Eric Komitee
ERIC KOMITEE
United States District Judge

Dated: May 16, 2025
Brooklyn, New York